

NASHUA CITY PLANNING BOARD
STAFF REPORT

TO: Nashua City Planning Board
FROM: Linda McGhee Deputy Planning Manager
FOR: June 4, 2020
RE: **New Business #1 - Site Plan**

I. Project Statistics:

Owner: Paragon Properties, LLC
Proposal: Site plan to construct a 4 unit condominium development
Location: 122 Manchester Street
Total Site Area: 2.36 acres
Existing Zoning: RA-Urban Residence
Surrounding Uses: Residential and church

II. Background Information:

According to Assessing records, the existing house was built in the 1920's. Over time a garage and some sheds were also constructed. The parcel is a long narrow lot which tapers in the rear. Approximately one third of the lot is developed and the remainder is wooded with steep slopes to the south.

On November 21, 2013 the planning board disapproved a request for a seven lot subdivision based on it was not compliant with Section 190-165(B) (double frontage lots) of the Nashua Revised Ordinances.

On September 27, 2016 the Zoning Board of Adjustment granted a variance to exceed the maximum principal structures permitted on one lot for a proposed 18 unit age restricted condominium site plan. Due to a procedural abutter notification error, the case was reheard on December 13, 2016 and the ZBA granted the variance with one stipulation that a minimum of a 20 foot setback from the property lines to the rear of the structures, so in effect, the side yard setback is 20 feet instead of 10 feet. In 2017 the abutters appealed the decision of the administrative officer that a proposed housing development located at 122 Manchester Street would provide significant facilities and services designed to meet the physical and social needs of older persons. The ZBA agreed with the abutters that the proposal did not meet the sufficient criteria to qualify as elderly housing. The applicant's attorney filed a rehearing request however it was denied on May 23, 2017. The proposal for an 18 unit age restricted housing condominium site plan development was heard by the planning board, however on December 19, 2018 the applicant's attorney withdrew their pending application.

Copies of the staff report, letters and minutes are attached.

III. Project Description:

The applicant is proposing to construct a private street (Paddington Place) that will access 4 single family residential condominium style homes. The condominiums will be serviced by municipal sewer, Pennichuck Water and underground utilities. A no cut/slope protection area will be protected in perpetuity; however, dead or diseased vegetation may be removed as per the ZBA stipulation. Building elevations have been provided to show potential units. A Traffic Impact Report Worksheet has been submitted and the project does not necessitate a full traffic study. There is an existing sidewalk located along the frontage of the lot on the opposite side of Manchester Street. The applicant is not proposing any internal sidewalks as they believe that this project does not warrant them and the proposed 20' roadway will be adequate for the pedestrian and vehicular traffic.

Two waivers are being requested for this project. The first is from design standards for private streets. The design standards and construction specifications of private streets shall be the same as for public streets. The applicant is proposing a 20' wide street rather than the 28' wide specifications for public streets. The second waiver is from the requirement for site lighting as the proposed four unit condominium development does not propose any formal lighting.

According to the applicant's engineer the property is situated in two watersheds that drain from south to north. The proposed private road will intercept the runoff flowing south to north across the property. A swale is proposed along the toe of the slope along the southerly property line. This swale will direct stormwater runoff to the proposed infiltration basin located at the front of the property. On the north side of the proposed development, a diversion swale will convey the stormwater the infiltration basin as well, and then discharge to the Manchester Street closed drainage system by way of a 12" RCP culvert. A copy of the stormwater report is attached.

City staff reviewed the plans; comments are attached.

IV. Staff Recommendations and Findings:

The Planning Board should make a determination that the plan meets, or does not meet, the requirements outlined in the Site Plan NRO § 190-146(D). The Board should review these prior to making a motion. If the Planning Board chooses to disapprove the plan, specific reasons should be given. If the Planning Board chooses to approve this plan, staff recommends the following stipulations be made part of that approval:

1. The request for a waiver of § 190-211(B), which sets minimum design standards for private streets width, **is/is** not granted, finding that the waiver **will/will not** be contrary to the spirit and intent of the regulation.
2. The request for a waiver of NRO § 190-88, which requires a light plan, **is/is not** granted, finding that the waiver **will/will not** be contrary to the spirit and intent of the regulation.
3. Prior to the Chair signing the plan, minor drafting corrections will be made.

4. Prior to the Chair signing the plan, all comments in an e-mail from Joe Mendola, Street Construction Engineer, and dated May 22, 2020 shall be addressed to the satisfaction of the Engineering Department.
5. Prior to the Chair signing the plan, all conditions from the Planning Board approval letter will be added to the cover page of the final mylar and paper copies submitted to the City.
6. Prior to the issuance of a building permit, all comments in an e-mail from Rapaglia dated April 22, 2020 shall be addressed to the satisfaction of the Fire Marshal.
7. Prior to the issuance of a building permit, the electronic file of the plan will be submitted to the City of Nashua.
8. Prior to the issuance of a building permit, condominium documents will be submitted to City Staff and Corporation Counsel for review and approval.
9. Road and driveway construction shall be to base course, with final course pavement remaining bonded until completion. Upon completion of construction, the applicant shall provide the City Engineer with written certification signed by a licensed professional engineer certifying the private street and driveways were designed and install as required by a third party engineer selected by City Engineering at the applicant's expense. Inspection reports shall be filed with the City Engineer's Office and the Planning Department.
10. Prior to the issuance of the first Certificate of Occupancy, "No Parking" signs shall be posted as per the Fire Marshal's e-mail dated April 22, 2020.
11. to issuance of the final Certificate of Occupancy for the development, an as-built plan locating all roads, driveways, units, other buildings, utilities and site landscaping shall be completed by a professional engineer and submitted to the Planning Department. The as-built plan shall include a statement that all construction was generally completed in accordance with the approved plan and applicable local regulations.
12. Prior to the issuance of the last Certificate of Occupancy, all site improvements will be completed.
13. All stipulations of the Zoning Board of Adjustment dated February 12, 2020 are incorporated herein.